

### REMARKS

Claims 27-32 and 48-53 were considered. Claim 27 is amended. Claims 27-32 and 48-53 remain in the Application.

The Patent Office rejects claims 27-32 and 48-53 under 35 U.S.C. §112, first paragraph. According to the Patent Office, the specification does not support “separately” delivering a treatment agent and a barrier having a binding member.

As a preliminary matter, Applicant believes the rejection under 35 U.S.C. §112, first paragraph, is inappropriate for claims 28-30, because such claims do not include the "separately delivering" language the Patent Office cites. Applicant believes claims 28-30 are accordingly in condition for allowance.

With respect to the other claims, Applicant believes the Application fully supports separately delivering treatment agent and a barrier having a binding member and, in previous responses, has directed the attention of the Patent Office to a number of locations in the specification that provide such support. Nevertheless, to advance the prosecution of the claims to allowance, Applicant amends claim 27 to provide that a treatment agent and a barrier are present at or near a tissue during at least partially overlapping times. Support for the amendment to claim 27 may be found in the Application at, for example, page 23, lines 16-19.

Applicant respectfully requests that the Patent Office withdraw the rejection of claims 27-32 and 48-53 under 35 U.S.C. §112, first paragraph.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: \_\_\_\_\_

8/10/07

William V. Babbitt

William Thomas Babbitt, Reg. No. 39,591

1279 Oakmead Parkway  
Sunnyvale, California 94085-4040  
Telephone (310) 207-3800  
Facsimile (408) 720-8383

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

Nedy Calderon

Nedy Calderon

8/10/07

Date